

*I hereby certify that this correspondence is being deposited  
with the United States Postal Service with sufficient postage  
as first class mail in an envelope addressed to:*

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450 on OCTOBER 10, 2006 (Date).

Typed or printed name: RITA M. LYNCH

Signature: Rita M. Lynch

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: William Thomas Carter Jr. et al. : Group Art Unit: 1742

Application No.: 10/749,893

: Examiner: Scott R. Kastler

Filed: December 31, 2003

: Response to: September 12, 2006

For: AN APPARATUS FOR THE PRODUCTION OR  
REFINING OF METALS, AND RELATED  
PROCESSES

**RESPONSE TO RESTRICTION REQUIRMENT UNDER 35 U.S.C. 121;**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement of September 12, 2006, the referenced application has been effectively divided into two inventions by way of the Restriction Requirement. Group I covers claims 1-36, drawn to an elecroslog cold hearth refining system. Group II, drawn to a method of refining metal, covers claims 37-49. Applicant selects Group I for prosecution, with traverse.

